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115. The system of claim ¹⁹¹⁹~~98~~, in which the monitoring system determines whether [the] a next network is available for data transport.

REMARKS

Applicants respectfully request entry of the herein contained amendment under the provisions of 37 C.F.R. § 1.312 (b).

The above-noted changes are intended to render the claim language clearer and more self-consistent. In particular, claims 104 and 115 have been amended to correct minor errors. In claim 104, first and second devices have been amended to be consistent with independent claim 92, from which claim 104 depends. Claim 92 refers to local and remote devices, rather than first and second devices. Consequently, claim 104 has been amended to refer to local and remote devices. Claim 115 has been amended to correct a typographical error. That is, "the" has been deleted. In addition, claim 115 has been amended to clarify that the network being referred to is a next network, similar to claim 59.

Approval of the changes under the provisions of 37 C.F.R. 1.312 (b) is respectfully requested. Applicants notes that an applicant does not have a right to amend the claims once prosecution of an application has been closed, such as in the present application, by issuance of a Notice of Allowance and payment of the issue fee. Nevertheless, applicants respectfully submit that the present amendment is appropriate for entry. Consequently, applicants respectfully request approval of the same for entry. The above contained amendment is not believed to continue the prosecution of the

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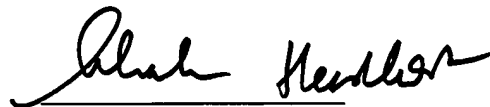
application. Further, by its relatively minor nature, the above contained amendment does not involve a significant amount of work on the part of the Patent and Trademark Office.

Accordingly, the Examiner is respectfully requested to exercise appropriate discretion and approve the present amendment for entry under the provisions of 37 C.F.R. § 1.312.

The amendments to the claims which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding the present response, or this application, the Examiner is respectfully requested to contact the undersigned at the below listed number.

Respectfully submitted,
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